



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, JUNE 15, 2004

Closed Session – 9:00 a.m.

Regular Meeting – 10:00 a.m.

MERCED COUNTY
ADMINISTRATION BUILDING
2222 "M" STREET
BOARD ROOM, THIRD FLOOR
MERCED, CALIFORNIA 95340
(209) 385-7366

GLORIA CORTEZ KEENE.....DISTRICT 1
KATHLEEN M. CROOKHAM.....DISTRICT 2
MICHAEL G. NELSON.....DISTRICT 3
CHAIR DEIDRE F. KELSEY.....DISTRICT 4
JERRY O'BANION.....DISTRICT 5
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM
COUNTY EXECUTIVE OFFICER

RUBEN E. CASTILLO
COUNTY COUNSEL

All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 "M" Street, Merced, California, 95340 During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.

SCHEDULED ITEMS

9:00 A. M.

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Subdivision (f) of Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations with American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; Independent Employees of Merced County (IEMC), Unit 3; Merced County Sheriff Employee Association (MCSEA), Unit 2; Merced County Law Enforcement Sergeants, Unit P and Deputy Sheriff Association, Unit 10

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED THERE WERE NO REPORTABLE ITEMS

10:00 A. M.

PLEDGE OF ALLEGIANCE

PRESENTATION - [Merced/Mariposa Retired Teachers](#) – Recognition of Contributions and Volunteer Community Hours

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (See Board Clerk - Testimony limited to five minutes per person)

REVIEW BOARD ORDER – SEE PAGE 10

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) [Castle Airport-\\$7,186 and \\$103,438; Health-\\$15,040;](#) Human Services Agency-\$5,700; Spring Fair-\$61,600; Treasury-\$10,100 and Workforce Investment-\$9,822

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 24)

APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, County Auditor, Board of Supervisors Members

LUNCH BREAK

1:30 P. M.

FY 2004-2005 PROPOSED BUDGET

A. EXECUTIVE OFFICE RECOMMENDATIONS:

1. Adopt the Proposed Budget for FY 2004/2005 as an Operating Budget until the Board adopts a Final Budget.
2. Direct that no expenditures be made for any item requiring policy direction, as listed in the Proposed Budget, without specific Board authorization.
3. Direct that no Fixed Assets recommended in the Proposed Budget be purchased until adoption of the Final Budget without specific Board authorization.
4. Authorize Clerk to provide copies to all interested people and advertise Final Budget Hearings to commence August 24, 2004 at 1:30 p.m.
5. Schedule the Public Hearing on Prop 4 Appropriation Limit on August 24, 2004 at 2:30 p.m.
6. Direct Executive Office to identify actions necessary based on the outcome of the Final State Budget and present recommendations at or before final budget hearings.
7. Direct Human Resources to initiate Reduction in Force procedures in accordance with Section 2.W. of the Merced County Human Resources Rules

and Regulations and to attempt to relocate the employees in the positions identified for deletion at Final Budget to funded positions.

REVIEW BOARD ORDER – SEE PAGES 12 AND 13

B. **HUMAN RESOURCES:**

Adopt modified job specifications for Support Services Analyst I/II, Mental Health Clinician I/II and Clinical Psychologist.

REVIEW BOARD ORDER – SEE PAGE 14

C. **HUMAN RESOURCES:**

1. Authorize the notification of an optional transfer pending the outcome of the November, 2004 Ballot Initiative of Reduction in Force pursuant to Human Resources Rules and Regulations, Section 2.W. affecting two Program Managers, one Staff Services Analyst, one Mental Health Worker I/II, Staff Services Analyst, one Alcohol and Drug Service Worker/Counselor, one Typist Clerk III and one Data Support Assistant in Mental Health-BU 41500;
2. Authorize the notification of a Reduction in Force for one Physician Assistant in Health-BU 40000;
3. Authorize the notification of a Reduction in Force for one Legal Clerk-Confidential in County Counsel-BU 12500;
4. Approve the addition of one Correctional Maintenance Worker to DPW - Buildings-BU 16000;
5. Approve the addition of one Castle Groundskeeper to BEO-Castle-BU 75200;
6. Change two vacant Assessment Technician to two Employment and Training Specialist I/II in DWI-BU 55000;
7. Approve the addition of two California Children Service Workers in Health-BU 40000;
8. and adopt appropriate Salary Resolutions.

REVIEW BOARD ORDER – SEE PAGE 14

D. **HUMAN SERVICES AGENCY - REORGANIZATION PLAN:**

1. Authorize the allocation of one Compliance Management Officer-Range 70.7, one Training Officer-Range 68.7, three Family Services Supervisor-Range 63.5 and one Program Manager-Range 70.7, one Account Technician-Range 57.3, one Staff Fiscal Analyst-Range 66, one Administrative Programs Supervisor-Range 60.6, one Office Assistant I/II-Range 49.6/51.6, one Social Services Program Administrator-Range 72.7, five Social Services Program Worker-Range 56.3 and one Supervising Social Worker I-Range 68.7;
2. Reinstatement of one Family Services Supervisor-Range 63.5, one Program Manager-Range 70.7, one Typist Clerk III-Range 53.9, one Staff Services Analyst II-Range 66, one Program Manager-Range 70.7, one Software Application Assistant-Range 56.6/59.6, one Social Worker III-Range 62.1 and one Social Worker IV a/b-Range 64.2/66.2 and two Supervising Social Worker II-Range 68.7 and one Family Services Representative-Range 56.6/58.6.
3. Reclassify two Employment and Training Program Administrators positions, two Administrative Program Manager positions and two Program Manager Eligibility Services positions to the generic classification of Program Manager at Range 70.7. Reclassify the seven Supervising Employment and Training Worker positions and the 14 Supervising Family Assistance

Representatives positions to the generic classification of Family Services Supervisor at Range 63.5.

4. Reclassify one Administrative Program Manager to Chief Fiscal Officer-Range 71.2, reclassify the Staff Resources Manager to Staff Services Manager-Range 71.2;

5. Change the position title and salary range for the Family Assistance Representative series (I/II/III) to Family Services Representative I at Range 56.6, Representative II at Range 58.6 for 125 flexibly staffed I/II positions and 28 Family Services III, Range 60.6 positions. Change the salary of three Systems Support Services Analyst positions which are aligned to this series to Range 62.6.

6. Request the following positions be deleted effective immediately: one Account Clerk I/II, one Account Clerk III, one C-IV Business Manager, one C-IV Trainer, four Employment and Training Workers I/II. The following to be deleted November 1, 2004 Pay Period 24: one C-IV Deputy Project Manager, two C-IV Business Managers, one C-IV Program Specialist and one C-IV Trainer.

7. Approve the recommended salary range changes to increase the Salary Range of the three existing Social Services Program Administrator to 72.7;

8. Add a new payroll differential (10 percent) for staff who are Licensed Clinical Social Workers performing licensing supervision activities and one additional differential (approximately 10 percent) for managing a satellite facility.

9. Adopt the new or revised class specifications for Compliance Management Officer, Chief Fiscal Officer, Staff Services Manager, Training Officer, Program Manager, Family Service Representatives I/II/III, Family Services Supervisor, Social Services Program Worker, Deputy Director of Human Services Agency and Supervising Social Worker II and approve and adopt the resolutions to the Salary and Position Resolutions.

PULLED FROM THE AGENDA – NO ACTION TAKEN

CONSENT CALENDAR (Items #1 - 24)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Adopt Resolution annexing Minor Subdivision No. 03021 to the Elliott Manor Storm Drainage Maintenance Zone of Benefit No. 230 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2004-101

2. Adopt Resolution annexing Minor Subdivision No. 03021 into the Elliott Estates Street Lighting Maintenance Zone of Benefit #214 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2004-102

3. Adopt Resolution honoring Glenn Zuspan for outstanding years of service to the County of Merced.

Sheriff

4. Approve and authorize Chairman to sign Renewal Contract No. 200198 with Mental Health for Meal Food Services to the Marie Green Psychiatric Center.

Mental Health

5. Approve and authorize Chairman to sign Renewal Contract No. 2001183 with Dr. Elmer Ignacio for the provision of Psychiatric Services at the Saturday Meds Clinic.
6. Approve and authorize Chairman to sign Renewal Contract No. 2004156 with Larry Dumford for the provision of Licensed Board and Care Facilities for mental health consumers.
7. Approve and authorize Chairman to sign Renewal Contract No. 2004006 with Davis Guest Home for specialized residential placement for clients in need of assisted living arrangements.

Planning

8. Approve and authorize Chairman to sign Addendum to Contract No. 2001163 with RRM Design Group for additional project coordination services.
9. Set public hearing for July 27, 2004 at 10:30 a.m. to consider and receive comments on the Community Development Block Grant (CDBG) Final and/or Annual Grantee Performance Reports and Program Income.

Ag. Commissioner

10. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2001105 with Calif. Dept. of Food and Agriculture for Fruit and Vegetable Standardization Inspections.
ADOPTED RESOLUTION NO. 2004-103
11. Approve and authorize Chairman to sign Renewal Contract No. 2004158 with USDA-APHIS-Wildlife Services for Predatory Animal Control in Merced County.
12. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004159 with Calif. Dept. of Food and Agriculture for Petroleum Products Inspections.
ADOPTED RESOLUTION NO. 2004-104
13. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004160 with Calif. Dept. of Food and Agriculture for Licensed Weighmaster Enforcement Inspections/Audits.
ADOPTED RESOLUTION NO. 2004-105
14. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004161 with Mariposa County for use of Weights and Measures Test Equipment.
ADOPTED RESOLUTION NO. 2004-106
15. Approve and authorize Chairman to sign Renewal Contract No. 2004162 with Structural Pest Control for Administration of Applicator Exams.

Board of Supervisors

16. Set public hearing for July 20, 2004 at 10:30 a.m. to consider an Appeal submitted by John J. Zoria to Minor Subdivision Application No. 03035.

Board Recognition

17. Authorize Certificates of Recognition to CVOC Scholarship Winners for 2004.
REVIEW BOARD ORDER – SEE PAGE 10
18. Authorize Certificates of Recognition to the following Hispanic Chamber of Commerce Awards: Gallo Farms, Business of the Year; Transcounty Title, Member of the Year;

Commander Norm Andrade, Man of the Year; Dr. Rosemary Parga-Duran as Woman of the Year and Dave Morales as outgoing President.

19. Authorize plaque and Resolution of Recognition to Ross P. Rogers for 45 years of dedicated service.
20. Authorize Certificates of Recognition to the following individuals that have completed the Merced College Fire Academy: Jordan Harris, Sean Bowe, Adrian Bavery, Jacob Froman, Steve Patterson, Erik Klevmyr, Cesar Bonilla, Jared Gibson, Matthew Gomes, Chris Tate, Jacob Toscano, Bradley Ellian, Eric Gallichio, Mike Minor, Cody Nelson, John Soares, William Alcorn, David Argo, Brent Painter, Chris Wells, Casey Wilson, Kevin Helton, Andrew Maloney, Ryan Paskin and Ryan Wilson.
21. Authorize Certificate of Recognition to Maxwell Enterprises in celebration of their Open House and Ribbon Cutting.
22. Authorize Certificate of Recognition to Peggy Heller School in recognition of receiving Outstanding Achievement and Award for California Distinguished School, Reading Renaissance Master School Certificate and Reading Renaissance Award.
23. Authorize Certificates of Recognition to Daniel Vidales, Faustino Rojas, James Edwards and Enrique Aguilar for successfully completing the Drug Court Program.
24. Authorize Certificate of Recognition to Linda Storm for outstanding services as President for 2002-2004 on the Business and Professional Women's Organization.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

25. Approve revised estimated project budget for the Coroner's Remodel/Re-roof Project for the Morgue Addition and Decomposition Remodel in the amount of \$204,600; award the Construction Contract to John Rohrer Construction in the amount of \$167,311.71 and approve the necessary budget transfer-\$50,600.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004163 AYES: ALL

26. Accept Public Works recommendation to select Merced Irrigation District to provide electrical services for the New Courts Building to be located on 22nd Street between M and N Streets in Merced.

PULLED FROM THE AGENDA – NO ACTION TAKEN

27. Approve Plans and Specifications for New Trussed Roofs over Existing Walls at the Stevinson and Snelling Fire Stations; authorize advertisement of bids and bid opening and direct Public Works to return to the Board with the results.

APPROVED AS RECOMMENDED AYES: ALL

28. Approve the total estimated budget of \$150,000 for the Regional Agency Recyclables Transfer Facility at the Highway 59 Landfill, Interim Recyclables Transfer Station at the Highway 59 Landfill; authorize Public Works to proceed with the design using professional services staff and/or existing retainer consultants; authorize construction of the facility using County forces and purchase order bids providing the project is within the total project budget and approve the necessary budget transfer. (4/5 Vote Required)

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

29. Approve increase in Appropriations for the various projects approved by the Board on June 12, 2002 to be funded through Proposition 12 Program (Per Capita and Roberti Z'Berg Harris Grant Programs) as follows: Playground equipment for Lake Yosemite, Henderson, Hagaman, O'Banion, South Dos Palos, Ballico, Houlihan, Snelling, Winton and Le Grand Parks; authorize conversion of Winton Park irrigation system to automatic; restrooms for the El Nido Community Recreation Building, Lake Yosemite restrooms and Lake Yosemite irrigation system separation of domestic water and approve the necessary budget transfer-\$483,715. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

30. Authorize expenditure of \$3,100 of Special Board Project Funds-District One to reimburse the Merced County Road Fund (BU 30000) for the cost of installing a speed hump on Topeka Road in Planada.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

31. Authorize the Sheriff to explore donations and/or equipment in support of establishing a Motorcycle Off/On Road Law Enforcement Unit to include donations, motorcycles, transport trailer and appropriate motorcycle equipment for law enforcement.

REVIEW BOARD ORDER – SEE PAGE 11

MENTAL HEALTH

32. Contract with Merced Drug for Pharmacy Services and approve the budget transfer-\$65,000.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000207 AYES: ALL

33. Contract with Value Options for the administration of activities related to out-of-home placement for Merced County Medi-Cal children who are in need of specialty Mental Health services.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004149 AYES: ALL

SPRING FAIR-LOS BANOS

34. Accept RRP No. 5914 and authorize Chairman to sign Contract with A.M.P. Racing, LLC for the 2004 Motorcross season at the Merced County Spring Fair.

NO ACTION TAKEN - CONTINUED TO JUNE 22, 2004

COUNTY COUNSEL

35. Designate the following departments and programs as health care components: Health, Mental Health, Mental Health Managed Care, Linkages Program-HSA, Multipurpose Senior Services Program-HSA, Risk Management Group Health Plan, Auditor/Controller, County Counsel, Information Systems, Revenue and Reimbursement, Public Guardian/Conservator's Voluntary Payee Program and Probation's 3015 and Partnership for Adolescent Success Programs; adopt the revised HIPAA Policies and Procedures Reference Manual (On file with Clerk) and adopt the Administrative Operations Directive addressing the protection of individually identifiable health information.

APPROVED AS RECOMMENDED AYES: ALL

36. Direct County Counsel to send back to the Los Banos School District, without action, its request to concur or not concur in Resolution No. 23-03 and related documents related to School Overcrowding and interim facilities fees.

REVIEW BOARD ORDER – SEE PAGE 12

AUDITOR-CONTROLLER

37. Contract Amendment with Accountemps for provider of temporary employment services and approve the necessary budget transfer in the amount of \$14,000.00.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004164 AYES: ALL

38. Resolution setting a Real Estate Fraud Prosecution Fee in the Recorder's Office of \$2.00 on all defined "Real Estate Instruments" with distribution of the fee to the District Attorney's Office and directs the Auditor to set up a Real Estate Fraud Prosecution Trust for the fees in accordance with Government Code Section 27388.

ADOPTED RESOLUTION NO. 2004-108 AS RECOMMENDED AYES: ALL

AG. COMMISSIONER

39. Ratify the letter of request to the Governor's Office of Emergency Services requesting Merced County Disaster Declaration due to dried plum crop loss from unseasonal weather on May 20, 2004.

APPROVED AS RECOMMENDED AYES: ALL

TREASURER-TAX COLLECTOR

40. Authorize the sale of tax-defaulted properties (APN 147-171-011) to Public Works-Roads pursuant to Chapter 8 of the Revenue and Taxation Code.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004194 AYES: ALL

EXECUTIVE OFFICE

41. Resolution authorizing the CSAC Challenge Award applications for Probation (2)-Merced County Interagency Placement Council and Merced County S.A.F.E. Program, Workforce Investment-Business/County Collaborate: Quality Model for Services and the Auditor-Voter Training/Out Reach and authorize submission to CSAC.

ADOPTED RESOLUTION NO. 2004-107 AS RECOMMENDED AYES: ALL

42. [Resolution amending the Human Resources](#) Rules and Regulations, Section 2.D.7.m. Optional Holiday language to be consistent with County practice and procedures.

PULLED FROM THE AGENDA – NO ACTION TAKEN

BOARD APPOINTMENTS

43. [District Four - Winton Municipal Advisory Council.](#)

REAPPOINTED WILENE NELSON AND ALFRED SOUZA TO SERVE AS MEMBERS OF THE WINTON MUNICIPAL ADVISORY COUNCIL UNTIL MARCH 31, 2008 AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

44. [Workforce Investment re:](#) 2004/2005 WIA Subgrant Contract with State Employment Development Department.

45. [San Joaquin Valley Regional Association of](#) California Counties re: Notice of action taken to unanimously oppose SB 1648, Forest Resources.

REVIEW BOARD ORDER – SEE PAGE 12

46. [Coalition to Stop State Bureaucracy re:](#) Letter of request for review of SB 1477 (Sher).
REVIEW BOARD ORDER – SEE PAGE 12
47. [Calif. Regional Water Quality Control Board](#) Central Valley Region re: Public Meeting concerning Conditional Waiver of Waste Discharge Requirements for discharges from irrigated lands in the Central Valley Region.

ADJOURNED MEETING UNTIL TUESDAY, JUNE 22, 2004 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 15, 2004

10:00 A.M. SCHEDULED ITEM
2004-06-15 PUBLIC OPPORTUNITY

Candace Adam Medefind and Tom Grave, appear on behalf of the Merced Recycling Coalition, submits petitions with 2100 signatures in support of implementing effective and comprehensive curbside recycling in high-density residential areas and thanks the Board for allowing their organization to make a presentation at Board Meeting of June 8, 2004.

Present: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

ACTION ITEM NO. 17
2004-06-15 BOARD OF SUPERVISORS

Upon motion of Supervisor Cortez Keene, seconded by Supervisor O'Banion, duly carried, the Board authorizes Certificates of Recognition for being selected by the Central Valley Opportunity Center as follows:

<u>Recipient</u>	<u>Award</u>
State Dept. of Community Serv, & Development	Outstanding Community Service
Wal-Mart Merced	Outstanding Business Partner
Deanna Cimmino	Outstanding Manager
CVOC Executive Director Ernie Flores	Award of Excellence
Hermelinda Sapien	Dolores Huerta Lifetime Achievement
Ernest Richardson	Outstanding Board Member
Priority 1 Warehousing	Outstanding Employer
Robert Potter	Outstanding Client Services
Manuel Jiminez	Outstanding CVOC Alumni
Maricela Avelar, Merced High School	2004 Scholarship Winner
Ruby Horta, Atwater High School	2004 Scholarship Winner
Yesica Navarrete, Golden Valley High School	2004 Scholarship Winner
Liliana Prado, Golden Valley High School	2004 Scholarship Winner
Sandy Xiong, Merced High School	2004 Scholarship Winner

and recognizes Central Valley Opportunity Center for 25 years of service to the County of Merced.

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

ACTION ITEM NO. 28
2004-06-15 PUBLIC WORKS

The Clerk reads the next item before the Board: Regional Agency Recyclables Transfer Facility at the Highway 59 Landfill submitted by Public Works.

Tom Grave, member of the Merced Recycling Coalition and the Solid Waste Management Task Force, speaks in favor of the Regional Agency Recyclables Transfer Facility at the Highway 59 Landfill.

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board approves the total estimated budget of \$150,000 for the Interim Recyclables Transfer Station at the Highway 59 Landfill, authorizes Public Works to proceed with the design using Professional Services staff and/or existing retainer consultants; authorizes the construction of this facility using County forces and purchase order bids providing the project is within the project and approves the necessary budget transfer in the amount of \$150,000.

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

ACTION ITEM NO. 31

2004-06-15 SHERIFF

The Clerk reads the next item before the Board: Motorcycle Off/On Road Enforcement Unit-Request for Authorization to Explore Donations.

Supervisor Crookham questions insurance costs for the Motorcycle Off/On Road Enforcement Unit.

Undersheriff Bill Blake advises costs are not anticipated to increase significantly and the department is looking at the flexibility of the vehicle.

Merced Irrigation District representative Bob Aker advises MID contracts with the Sheriff's Department on an annual basis for canal patrol. MID is in favor of the establishment of a Motorcycle Off/On Road Enforcement Unit which will help alleviate the problem of unauthorized traffic on canal banks.

Upon motion of Supervisor Cortez Keene, seconded by Supervisor Nelson, duly carried, the Board authorizes the Sheriff to explore donations and/or equipment in support of establishing a Motorcycle Off/On Road Law Enforcement Unit to include donations, motorcycles, transport trailers and appropriate motorcycle equipment for law enforcement.

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

ACTION ITEM NO. 36

2004-06-15 COUNTY COUNSEL

County Counsel Ruben Castillo states the item before the Board is the Building Industry Association of Central California, Inc. v. Los Banos Unified School District, City of Los Banos, County of Merced, et al, Merced County Superior Court No. 147440. He states the City of Los Banos has taken similar action to return to the Los Banos School District its Resolution No. 23-03 and related documents regarding School Overcrowding and Interim Facilities Fees on the grounds that the paperwork is incomplete and Counsel's Office will return the same documentation on behalf of the County as noted in today's recommendation adding the language that the paperwork is incomplete.

Upon motion of Supervisor Crookham, seconded by Supervisor Nelson, duly carried, the Board directs Counsel to return to the Los Banos School District, without action, its request to concur or not concur in Resolution No. 23-03 and related documents related to School Overcrowding and Interim Facilities Fees with the notation that the paperwork is incomplete.
Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

INFORMATION ITEM NO. 45

2004-06-15 BOARD OF SUPERVISORS

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board goes on record opposing SB 1648, Forest Resources, which would redefine the mission of publicly owned forests and severely limit timber harvesting as urged by the San Joaquin Valley Regional Association of California Counties and directs staff to notify the appropriate parties.
Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

INFORMATION ITEM NO. 46

2004-06-15 BOARD OF SUPERVISORS

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board goes on record opposing SB 1477, Responsible Wetlands Protection (Water Quality) as urged by the Coalition to Stop Bureaucracy and directs staff to notify the appropriate legislators.
Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

1:30 P.M. SCHEDULED ITEM

2004-06-15 EXECUTIVE OFFICE, ITEM A

County Executive Officer Demitrios Tatum provides an overview of the comparison of the economics and key issues in Merced County 1990 to the present and reviews the Staff Report highlighting the 2004/2005 funding shortfall and the current spending plan.

Supervisor Cortez Keene expresses concern on the recommended layoff of the Physician Assistant after employment for 13-14 years and suggests a Golden Handshake be offered.

Supervisor O'Banion reviews the County's responsibility of making available positions if a position is currently available and not creation of a position. Supervisor O'Banion questions the recommendation of transferring the legal clerk position in Counsel's Office stating he is not interested in discontinuing legal services to seniors.

The Board discusses the positions that are being transferred to other department(s) and discusses the physician assistant position that is recommended for Reduction in Force.

Mr. Tatum advises action on the transfers/lay off will not take place before Final Budget and action won't be taken on the other positions outlined in the staff report until after the November

election because of an initiative that could bring as much as \$5 million to the County for various functions.

Supervisor Crookham questions if there might be a role to help with the assessments of the incoming Hmong Refugees by the Physician Assistant position.

Mr. Tatum reviews the overall County approved positions from 1997 to date and the following policy issues for the Board's discussion and action: Grant Writing, Facility Reuse, School Resource Officers, Road Fund, Fire Fund, Development Fees, Closure of UC Project Office.

The Board discusses the 2004/2005 Proposed Budget Executive Office recommendations.

Physician Assistant Robert Zaff appears stating he has worked for the County for fourteen years. He appreciates the Board's inquiries and consideration of his position, especially for help with the incoming Hmong Refugees and states he would appreciate the opportunity to participate in a golden handshake if he is laid off.

Janey Soudo, Merced County Health Department worker, speaks in support of Mr. Zaff stating his efficiencies and comments if he is laid off, she will have to work overtime.

Following discussion, Mr. Tatum advises the salary savings will be part of Final Budget for the Board's consideration and action.

Following further discussion and upon motion of Supervisor Cortez Keene, seconded by Supervisor O'Banion, duly carried, the Board takes the following actions relative to the FY 2004/2005 Proposed Budget:

1. Adopts Proposed Budget for Fiscal Year 2004/05 as an operating budget until the Board adopts a Final Budget;
2. Directs that no expenditures be made for any item requiring policy direction, as listed in the Proposed Budget, without specific Board authorization;
3. Directs that no fixed assets recommended in the Proposed Budget be purchased until adoption of the Final Budget, without specific Board authorization;
4. Requests the Clerk of the Board make available copies of the Fiscal Year 2004/05 Proposed Budget to all interested parties and advertise the Final Budget Hearings to commence August 24, 2004, at 1:30 p.m.;
5. Schedules the public hearing on Proposition 4 Appropriation Limit on August 24, 2004, at 2:30 p.m.;
6. Directs the County Executive Office to identify actions necessary based on the outcome of the final State Budget, and present recommendations at or before Final Budget Hearings with the understanding Human Resources will not initiate Reduction in Force procedures nor attempt to relocate the employees in the positions identified for deletion until further consideration during Final Budget.

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

1:30 P.M. SCHEDULED ITEM

2004-06-15 EXECUTIVE OFFICE, B. HUMAN RESOURCES

Upon motion of Supervisor Cortez Keene, seconded by Supervisor O'Banion, duly carried, the Board adopts the modified job specifications for Support Services Analyst I/II, Mental Health Clinician I/II and Clinical Psychologist, as recommended.

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

1:30 P.M. SCHEDULED ITEM

2004-06-15 EXECUTIVE OFFICE, C. HUMAN RESOURCES

Upon motion of Supervisor Cortez Keene, seconded by Supervisor O'Banion, duly carried, the Board approves the following Personnel Actions:

1. Authorize the notification of an Optional Transfer, pending the outcome of the November, 2004 Ballot Initiative pursuant to Human Resources Rules and Regulations, Section 2.W. affecting two Program Managers, one Staff Services Analyst, one Mental Health Worker I/II, one Alcohol and Drug Service Worker/Counselor, one Typist Clerk III and one Data Support Assistant, in Mental Health-BU 41500;
2. Approve the addition of one Correctional Maintenance Worker, Class Code 7401, to Public Works-Buildings-BU 16000;
3. Approve the addition of one Castle Groundskeeper, Class Code 7608/7607, to Business-Economic Opportunities-Castle-BU 75200;
4. Change two vacant Assessment Technician positions, Positions 095/115, to two Employment and Training Specialist I/II, Class 4432/443, to Department of Workforce Investment-BU 55000;
5. Allocate two additional Childrens' Services Workers, Class Code 2942, to Health-BU 40000.

and adopts Resolution No. 2004-109.

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion